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Letter dated 16 March 2009 from the Permanent Representative of Hungary to the United Nations addressed to the President of the General Assembly

It gives me great pleasure to inform you that the Republic of Hungary has decided to present its candidature for membership in the Human Rights Council for the term 2009-2012 at the elections to be held on 12 May 2009, in New York.

In this regard, the Government of the Republic of Hungary has the honour to submit herewith a written pledge of its commitment to the promotion and protection of human rights in accordance with General Assembly resolution 60/251 (see annex). The Permanent Mission of the Republic of Hungary would be grateful if the present letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Gábor **Bródi**
Ambassador
Permanent Representative

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Annex to the letter dated 16 March 2009 from the Permanent Representative of Hungary to the United Nations addressed to the President of the General Assembly

Aide memoire

Hungary confirms its deep commitment to the promotion and protection of human rights and fundamental freedoms, and pledges to further advance the noble cause of human rights, at the international as well as national levels.

It strongly supports all efforts aimed at the full and effective implementation and the further development of international human rights law. At the same time Hungary upholds the highest domestic legal standards in the protection of human rights and maintains national institutions necessary for the implementation and monitoring of these rights. Given the fact that more than two million Hungarians live in minority status outside the borders of Hungary in neighbouring States and that there are 13 national and ethnic minority communities living within its own borders, Hungary pays special attention to the protection and advancement of the rights of persons belonging to national, ethnic or linguistic minorities.

International domain

Hungary has become a State party to the six basic United Nations Human Rights Conventions and to several of their additional protocols thereby assuming all key international obligations in the field of human rights. Hungary pledges to sign and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Hungary has undertaken to receive individual complaints with regard to the provisions of all those United Nations human rights instruments where it is possible. Hungary pursues a policy of constructive cooperation and engagement with United Nations special procedures, by upholding a standing invitation for all United Nations human rights mandate holders, fully responding to their communications and following-up on their recommendations.

Hungary actively cooperates with treaty monitoring bodies by ensuring timely submission of the requested reports and by implementing the conclusions and observations addressed to it as a result of the monitoring procedures. In order to make the treaty body system more efficient, Hungary is committed to contribute to its global reform.

Hungary has always supported, and will continue to do so, the activities of the Office of the High Commissioner for Human Rights. It participates constructively in the deliberations of various international human rights forums, including, in particular, those of the new Human Rights Council, its subsidiary bodies and mechanisms. Hungary has taken care of two important Commission on Human Rights resolutions, one on the cooperation with representatives of United Nations human rights bodies and the other one on the independence of the judiciary, jurors and assessors, and the independence of lawyers. Hungary's active role at the most important human rights forum of the United Nations is clearly marked by the fact that so far three Hungarians have served: the Chairman of the Commission in 1992 (Pál Solt), and two mandate holders (Tamás Bán, Working Group on Arbitrary

Detention, and Gáspár Biró, Special Rapporteur on the Sudan, member of the Sub-Commission on the Promotion and Protection of Human Rights).

Hungary actively supported the creation of the Minority Forum, in replacement of the former Working Group on Minorities. This new Forum is designed to raise awareness to and, promote dialogue and cooperation on, issues pertaining to national or ethnic, religious and linguistic minorities among all relevant international and national stakeholders, including the representatives of minorities. We were particularly pleased that Viktória Mohácsi, a Hungarian member of the European Parliament has been nominated to chair the first session of the Forum in December 2008.

Hungary welcomed the establishment of a Universal Periodic Review procedure in the Human Rights Council that will allow the scrutiny of the fulfilment by each and every State of its human rights obligations and commitments. Hungary is committed to comply with the basic guidelines set for the Universal Periodic Review, such as universality, objectivity, cooperation and interactivity, and it has readily accepted to undergo the review procedure in an open and constructive manner at the scheduled date of 2011. Moreover, Hungary does not wish to avail itself of the privileges accorded to States in the institution-building package. Hungary will not thus request that one of the Troika rapporteurs be from its own regional group, nor shall it ask for the substitution of a rapporteur. Similarly, Hungary will not excuse itself from participating in a specific review process.

Hungary fully supports and encourages the active participation and meaningful role of human rights non-governmental organizations in the work of the Human Rights Council, including their involvement in the new universal periodic review process.

Hungary is fully convinced that the Convention on the Rights of Persons with Disabilities will improve the living conditions of almost 650 million persons with disabilities all over the world, ensuring equal opportunities for them in all aspects of life. The fact that Hungary was the second ratifying State party to this Convention and its Protocol, shows the priority we are giving to this important issue.

National domain

In accordance with Hungary's international human rights commitments, the Hungarian Constitution and the relevant basic laws adopted by the Hungarian Parliament provide all human beings living in the territory of Hungary with a wide range of fundamental rights and freedoms, and establish the necessary legal and institutional guarantees for their enjoyment, including effective remedies to redress any violations of human rights. Hungary pledges to further promote the protection of all human rights, in both law and practice.

The institution of Parliamentary Commissioners serves as an extra layer of protection beyond the judiciary system in case of any human rights abuse committed by a State organ or a private entity. The Parliament elects the three ombudsmen for a six-year term, one responsible for the protection of civil rights in general, and two specific ones responsible for the protection of national and ethnic minorities' rights, and for data protection and freedom of information, respectively. They are independent from the Government, other State organizations and the private sector and report their activity directly and exclusively to the Parliament. Persons with

complaints who have not obtained redress elsewhere may seek the assistance of the Ombudsman's office, which does not have the authority to issue legally binding judgments but may act as a mediator and conduct fact-finding inquiries.

A Parliamentary Commissioner of future generations has recently been created as an innovative, and in many parts of the world, non-existent category of ombudsman. The actions of the "green ombudsman" will be guided by the need to protect the interests of future generations, the environment and sustainability. Once elected, he or she will be directly accountable to the Parliament.

A Parliamentary Committee for human, minority and religious rights regularly conducts hearings and participates in the law-making process relating to issues in the field of human rights. The Committee is composed of both majority and opposition Members of Parliament, reflecting the proportion of party representation in Parliament, and is always headed by a chairman belonging to one of the opposition parties.

In the past two decades, Hungary has undergone major political, economic and social changes. Although the political transition to a multiparty democracy and the economic transition to free market capitalism resulted in undeniable positive achievements, at the same time such changes also led to unexpected social difficulties for the most vulnerable groups of society, in particular the elderly, the big families and the Roma. Protecting their social rights, granting them equal opportunities and promoting their integration into the mainstream society have been and remain to be a great challenge for the Hungarian Government. The Government has continued its former policy promoting the social integration of the Roma population. A Roma Integration Decade Programme Strategy Plan has been adopted for the period of 2007-2015, which sets out tasks in two-year action plans. Action plans include concrete measures and monitoring tasks primarily in the field of employment, housing, education and health, as well as on horizontal areas embracing more programmes.

In order to share the experiences of the complex and sometimes painful process of political and economic transition, Hungary has established an institute, the International Centre for Democratic Transition in the belief that supporting a multifaceted process of democratic transition from dictatorship to democracy is one of the cornerstones of a more stable and safer world. The International Centre for Democratic Transition facilitates the smooth and peaceful process of democratic transition based on participatory principles, the political, economic, legal, cultural and civil society aspects of transformation, as well as the sociocultural context of regions and countries where the process takes place. In accordance with this, Hungary fully supported the Secretary-General's decision to establish the United Nations Democracy Fund for countries seeking to establish or strengthen their democratic systems and practices. As an acknowledgement of our dedication to this issue, Hungary was among the first members of the Advisory Board of the Fund.

A number of domestic and international human rights non-governmental organizations operate in Hungary without any government restriction, investigating and publishing their findings on human rights cases. The Hungarian Government is committed to a further improvement of cooperation between ministries and prosecutors' offices, on the one hand, and the human rights non-governmental organizations, on the other, especially on cases involving Roma and police abuse. An increasing number of non-governmental organizations are involved in the law-

making process, and the Government pledges to make cooperation in this area even more meaningful.

According to a recent decision, a Human Rights Ambassador has been appointed within the Ministry of Foreign Affairs, whose mission is to promote the streamlining of human rights into all dimensions of Hungary's external policy and thereby to ensure greater coherence across all foreign policy issues where human rights have a role to play. He will be engaged in discussions on human rights questions in the course of his diplomatic exchanges with foreign partners. The Human Rights Ambassador should also develop contacts with Hungarian society, in particular Members of Parliament, academics, human rights governmental and non-governmental organizations and the media, in order to advocate the cause of human rights and receive further input for his work.

Hungary fully shares the objectives of the Alliance of Civilizations initiative and in compliance with the proposal of the High Representative of the Secretary-General, H.E. Jorge Sampaio, we have nominated a national coordinator who is responsible both for internal coordination among the relevant Hungarian governmental agencies and civil society actors, and for serving as a focal point vis-à-vis the Alliance's Secretariat and other partners. Furthermore, the elaboration of our own National Strategy for Cross-cultural Dialogue is going to be launched under the auspices of the Ministry of Foreign Affairs.

Act No. CXXV of 2003 on equal treatment and the promotion of equal opportunity has been one of the most important legislative products of the recent period. Desiring to provide effective legal protection for persons exposed to negative discrimination, the National Assembly declared that the promotion of equal opportunity is a task of the State.

Under the requirement of equal treatment, natural persons, groups of natural persons, legal persons and entities not endowed with legal personality shall be treated with equal respect and circumspection, by paying equal attention to their particular circumstances. For the first time in the history of Hungarian law, the Act contains comprehensive anti-discrimination regulations. It defines the various forms of negative discrimination, direct and indirect discrimination, harassment, unlawful segregation and retaliation in compliance with the relevant European Union directives. The Act provides for the setting up of a new institution with the task of examining cases related to discrimination. The Equal Treatment Bureau investigates individual complaints so any persons alleging that their rights enshrined under the Act have been violated may file a complaint to the Bureau.

There was wide-ranging agreement in the society on the initiative of the Government which was launched for the elimination of child poverty and for the improvement of the chances of children. The Parliament has adopted a comprehensive, 25-year national strategy and programme named "Children shall have it better". The principal aim is to reduce poverty of children and families measurably yet under one generation, to promote equal opportunities of children in education, to eliminate extreme forms of exclusion and deep poverty, and to change the attitude and the operation of institutions and service providers which may contribute to the reproduction of poverty and exclusion.

Hungary has decided to prepare a feasibility study on the establishment of an International Centre for the Prevention of Genocide and Mass Atrocities in

Budapest. By the launch of this initiative, the Government of Hungary wishes to promote the cause of prevention of genocide on the occasion of commemorating the sixtieth anniversary of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide.

The Centre will work in close cooperation with the United Nations, with the Office of the Special Adviser for the Prevention of Genocide, who is responsible for the coordination of United Nations efforts in the field of genocide prevention. Cooperation with the Office of the High Commissioner for Human Rights and other United Nations bodies will be essential. The reports of the Centre will also be transmitted to the Security Council members and to the International Criminal Court.